

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

To:
KILBURN & STRODE
Attn. Cornish, Kristina V.
20 Red Lion Street
London WC1R 4PJ
UNITED KINGDOM

K + S Received	
Date:	11 SEP 2003
Entered	
Checked	
F/E	

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year) 11/09/2003

Applicant's or agent's file reference

P30979W0/KVC

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/GB 02/05913

International filing date

(day/month/year) 23/12/2002

Applicant

MARS UK LIMITED

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
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Authorized officer

Panayota Georgakopoulou

TENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P30979W0/KVC	FOR FURTHER ACTION		see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/GB 02/05913	International filing date (day/month/year) 23/12/2002	(Earliest) Priority Date (day/month/year)	
Applicant MARS UK LIMITED			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PG 02/05913

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A23K1/18 A23L1/0522 A23L1/0534

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A23K A23L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, MEDLINE, FSTA

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 44932 A (IAMS COMPANY) 15 October 1998 (1998-10-15) page 2-3 tables 1,3 claims 1,7,9,15	1-6,8, 10,11, 15-17
T	DINAND E, CHANZY H, VIGNON MR: "Suspensions of cellulose microfibrils from sugar beet pulp" FOOD HYDROCOLLOIDS, vol. 13, 1999, pages 275-283, XP002251873 page 275, column 1, paragraph 1 page 277, column 2, paragraph 3 -/--	1-12, 15-17

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

27 August 2003

Date of mailing of the international search report

11/09/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
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Authorized officer

Couzy, F

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 02/05913

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO 00 53030 A (BAILLON MARIE LOUISE AMANDA ;MARS UK LTD (GB); FONE JANEL (GB); GI) 14 September 2000 (2000-09-14) page 3-7 page 9, line 22 page 10, line 11 page 11, line 23-25 page 13-15 examples 4,5,7 table 2 claims 1,2,12,13,17,20,21,24-28 ---</p>	1-17
A	<p>ROLFE VE, ADAMS CA, BUTTERWICK RF, BATT RM: "Relationship between faecal character and intestinal transit time in normal dogs and diet-sensitive dogs" JOURNAL OF SMALL ANIMAL PRACTICE, vol. 43, 2002, pages 290-294, XP009015869 UK page 290, column 2, paragraphs 2,3 page 291, column 2, paragraph 3 page 292, column 3 -page 293, column 1 page 294, column 1 figure 1; tables 1,2 ---</p>	1-17
A	<p>WILLS J ET AL: "DIAGNOSIS AND MANAGEMENT OF FOOD ALLERGY AND INTOLERANCE IN DOGS AND CATS" AUSTRALIAN VETERINARY JOURNAL, AUSTRALIAN VETERINARY ASSOCIATION, BRUNSWICK, AU, vol. 71, no. 10, 1994, pages 322-326, XP008017281 ISSN: 0005-0423 page 325, column 1, paragraph 2 ---</p>	1-17
A	<p>WG GUILFORD: "Nutritional management of gastrointestinal tract diseases of dogs and cats" JOURNAL OF NUTRITION, vol. 124, 1994, pages 2663S-2669S, XP009015863 USA page 2666S, column 1, paragraph 2 page 2666S, column 2, paragraph 3 ---</p> <p style="text-align: center;">-/--</p>	1-17

INTERNATIONAL SEARCH REPORT

Int. No. Application No
GB 02/05913

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>SUNVOLD G D ET AL: "DIETARY FIBER FOR DOGS: IN VITRO FERMENTATION OF SELECTED FIBER SOURCES FOR DOG FECAL INOCULUM AND IN VIVO DIGESTION AND METABOLISM OF FIBER-SUPPLEMENT DIETS"</p> <p>JOURNAL OF ANIMAL SCIENCE, NEW YORK, NY, US, vol. 73, no. 4, 1995, pages 1099-1109, XP002072351 ISSN: 0021-8812 page 1101, column 2 -page 1102, column 1 page 1105, column 1-2 page 1106, column 1, paragraph 3 -column 2, paragraph 1 page 1108, column 2, paragraph 3</p>	1-17

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 10-13 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

INTERNATIONAL SEARCH REPORT

International application No.
PCT/GB 02/05913

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —
because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

Application No

GB 02/05913

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9844932	A	15-10-1998	AU 734098 B2	07-06-2001
			AU 6796998 A	30-10-1998
			BR 9807935 A	22-02-2000
			CN 1251995 T	03-05-2000
			EP 0967985 A1	05-01-2000
			JP 2000513583 T	17-10-2000
			NZ 337829 A	30-03-2001
			TR 9902485 T2	22-05-2000
			US 6180131 B1	30-01-2001
			WO 9844932 A1	15-10-1998
			US 2002197275 A1	26-12-2002
			US 6475512 B1	05-11-2002
			US RE38112 E1	06-05-2003
WO 0053030	A	14-09-2000	AU 3175800 A	28-09-2000
			BR 0008879 A	22-01-2002
			CA 2366920 A1	14-09-2000
			CN 1345184 T	17-04-2002
			EP 1158867 A2	05-12-2001
			WO 0053030 A2	14-09-2000
			GB 2363696 A , B	09-01-2002
			HU 0202350 A2	28-10-2002
			JP 2002537861 A	12-11-2002
			NZ 514054 A	28-09-2001
			PL 350537 A1	16-12-2002